

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
UNITED STATES OF AMERICA, :
:
-against- : **ORDER**
:
SAHIL PATEL, : 14 Cr. 158 (AKH)
:
Defendant. :
:
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ALVIN K. HELLERSTEIN, U.S.D.J.:

I issued judgment on July 27, 2015, sentencing Defendant Sahil Patel to custody of 175 months. *See* ECF No. 61. His appeal was denied on February 9, 2018. *See* ECF No. 78. I denied Patel's Motion to Vacate under Section 2255 on November 25, 2019, *see* ECF No. 85, declining to issue a certificate of appealability. The Court of Appeals for the Second Circuit denied his motion for such a certificate on September 24, 2020. *See* ECF No. 91. Defendant's Motion for Compassionate Release was denied on March 3, 2021. *See* ECF No. 96.

Defendant is in the custody of the Bureau of Prisons ("BOP") in Moshannon Valley Correctional Institution in the Western District of Pennsylvania. He now makes application for furlough to attend, as his religious obligation under the Hindu religion, to the cremation of his father, Satish Patel, scheduled to take place tomorrow, March 8, 2021 in Worcester, MA. Patel's request for furlough was denied by the BOP. He appeals to me as his sentencing judge.

Although I am uncertain as to my jurisdiction to entertain his request, there is a religious obligation involved, which has not been properly respected. Patel should be allowed, as a matter of his religious obligation under the Hindu religion, to attend to the cremation of his father.

Accordingly, I order that Defendant Sahil Patel be granted a furlough subject to the following 3 conditions:

1. Patel's family can arrange for a postponement to enable Defendant to attend the cremation ceremony;
2. The COVID-19 regulations of the BOP as well as the Commonwealth of Massachusetts regarding quarantine are satisfied; and
3. Proper arrangements can be made to assure Patel's prompt return to the custody of the BOP.

The U.S. Attorney of the Southern District of New York, by AUSA Andrew Caldwell Adams, shall promptly notify the Warden and the counsel of Moshannon Valley Correctional Institution of this order.

SO ORDERED.

Dated: March 7, 2021
New York, New York

/s/
ALVIN K. HELLERSTEIN
United States District Judge